SINGLE BENCH

(5) (3)

IN THE HIGH COURT OF JUDICATURE AT BILASPUR

(CHHATTISGARH)

WRIT PETITION (C) NO.6779 OF 2006

PETITIONER : Mohd. Nijam son of Mohd. Mahangu, aged about 60 years, R/o Near Bus Stand, Rajim District Raipur (C.G.)

VERSUS

RESPONDENTS :1. State of Chhattisgarh, Through: The Collector, Raipur, District Raipur (C.G.)

2. The Collector, Raipur District Raipur (C.G.)

3. The Nagar Panchayat Rajim, Through: Chief Municipal Officer, District Raipur (C.G.).

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WRIT PETITION UNDER ARTICLE 226 OF THE CONSTITUTION OF INDIA

HIGH COURT OF CHHATTISGARH AT BILASPUR

Single Bench: Hon'ble Mr. Justice Satish K. Agnihotri.

W. P. (C) No. 6779 of 2006

Petitioner : Mohd. Nijam

Versus

Respondents : State of Chhattisgarh & others

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present: Shri Bhaskar Payashi, Advocate for the petitioner.
Shri N.K. Agrawal, Deputy Advocate General for the respondents No. 1 and 2.

ORDER

(6th December, 2006)

1. The petitioner, claiming to be owner of the shop of Nijam Kirana Stores, has challenged the notice dated 29.11.2006 on the ground that the Nagar Panchayat, Rajim has already granted lease of plot admeasuring 325 sq.ft. on which his shop in dispute is standing. The facts involved in this petition are disputed question of facts, even otherwise, alternative and efficacious remedy is available to the petitioner before other appropriate forum.

2. In view of the above, this writ petition is not maintainable. The petition is accordingly dismissed as not maintainable. This order shall not come in the way of petitioner in approaching any other forum for appropriate relief. No order as to costs.

Sd/-
Satish K. Agnihotri
Judge

Subhash